

CHAPTER 8

SECTION 1.4

PUBLIC FACILITY USE CERTIFICATION

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AUTHORITY: 32 CFR 199.5(a)(5)

I. DEFINITION

The public facility use certification is a written confirmation that the requested PFPWD services or items are either not available from public facilities or are not adequate to meet the needs of the beneficiary's qualifying condition.

II. POLICY

A. The PFPWD requires that public facilities be used first to the extent that they are available and adequate, except for services **and items** available under Title XIX of the Social Security Act (Medicaid).

B. The required public facility use certification may be issued by the Commander of the local Military Treatment Facility or an authorized administrator of the public facility.

C. For a beneficiary aged 3 to 21 who is enrolled in an education program, the local public education agency must certify that the services or items requested through the PFPWD are not included on the beneficiary's Individual Education Plan, or if so, are not adequately available.

D. A public facility use certification is valid for twelve consecutive months from the date of signature. A new certification may be requested by the contractor for good cause at any time.

E. The contractor will determine that services or items are not available from a specific public facility when the beneficiary provides a written statement that the facility refused to provide the required certification.

F. A care-specific determination of public facility availability is conclusive and is not appealable.

G. No public Facility Use Certification is required for medical services and items that are provided under Part C of the Individuals with Disabilities Education Act in accordance with the Individualized Family Service Plan and that are otherwise allowable under the TRICARE Basic Program or the PFPWD.

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